Remarks

The Applicants acknowledge the objection to the drawings. The Applicants have accordingly added Figs. 6-8. Fig. 6 addresses the through cavity recited in Claim 22. Fig. 7 addresses the two layers of strands, one with 6 strands and the other with 12 strands as recited in Claim 27. Fig. 8 shows strands twisted around a central strand and around two layers of strands, one with 6 strands and one with 12 strands as recited in Claim 28 as it depends from Claim 27. On the other hand, the Applicants note that Fig. 2 already shows six strands (40) twisted around a central strand as recited in Claim 28 as it depends from Claim 26. The Applicants accordingly respectfully request withdrawal of the objection to the drawings.

The Applicants have also amended Figs. 4 and 5 to add several reference numbers so that they are more readily understood with respect to discussions in the Specification. Entry of those updated drawings into the official file is respectfully requested.

The Applicants have amended the Substitute Specification to account for the addition of new Figs. 6-8. Also, a number of reference numbers have been added to facilitate ease of understanding with respect to the text referring to various of the figures. Entry of the amendments to the Substitute Specification into the official file is respectfully requested.

The Applicants have amended Claim 20 by incorporating part of the subject matter of Claims 21 and 22 and the subject matter of Claim 24. Claims 21 and 24 have accordingly been cancelled. Claim 22 has been amended to include part of the subject matter of Claim 21 not introduced into Claim 20.

Claim 20 has further been rearranged substantially for clarification purposes.

Claims 26 and 27 have been amended to provide appropriate antecedent basis for the "central strand." Claims 32 and 33 have been amended to place them into better form. Entry of

the amendments to the claims and various cancellations into the official file is respectfully requested.

Claim 31 stands rejected under 35 USC §112 as failing to comply with the written description requirement. In particular, the rejection states that the claim recites that the strand of the layer or layers can be made of titanium-nickel alloy. The Applicants have accordingly amended paragraph [0045] of the Substitute Specification to recite that the strands may also be made from titanium-nickel alloy. This is not new matter. This is because that subject matter was contained in original Claim 12 as shown in the translation of the PCT application from which this application originated. Inasmuch as the original claims constitute part of the overall disclosure, it is proper to amend the Specification to include that subject matter recited in original Claim 12. Withdrawal of the rejection is respectfully requested.

Claims 26, 27 and 32-34 stand rejected under 35 USC §112 as being indefinite. The rejection states that Claims 26 and 27 lack antecedent basis. The Applicants have, as noted above, amended both of Claims 26 and 27 to provide such antecedent basis. Claims 32 and 33 are provided with antecedent basis based on the amendments to Claims 26 and 27. However, the Applicants have nonetheless amended those claims for purposes of clarity. Withdrawal of the rejection is respectfully requested.

Claims 20, 22, 23, 26-28, 32 and 38 stand rejected under 35 USC §102 as being anticipated by Baumgartner. The Applicants respectfully submit that the rejection is now moot in view of the incorporation of all of the subject matter of Claim 24 into Claim 20. Withdrawal of that rejection is respectfully requested.

Claims 20, 33 and 34 stand rejected under 35 USC §103 over the hypothetical combination of Baumgartner with Jahng. The Applicants respectfully submit that this rejection

is also moot in view of the incorporation of the subject matter of Claim 24 into Claim 20. Withdrawal of the rejection is respectfully requested.

Claim 35 stands rejected under 35 USC §103 over the further hypothetical combination of Freudinger with Baumgartner and Jahng. The Applicants respectfully submit that this rejection is also moot in view of the incorporation of the subject matter of Claim 24 into Claim 20. Withdrawal of the rejection is respectfully requested.

Claim 36 stands rejected under 35 USC 103 over the further hypothetical combination of Sherman with Baumgartner and Jahng. The Applicants respectfully submit that this rejection is also moot in view of the incorporation of the subject matter of Claim 24 into Claim 20. Withdrawal of the rejection is respectfully requested.

Claim 37 stands rejected under 35 USC 103 over the further hypothetical combination of Trieu with Baumgartner and Jahng. The Applicants respectfully submit that this rejection is also moot in view of the incorporation of the subject matter of Claim 24 into Claim 20.

Claims 20-27, 29 and 31 stand rejected under 35 USC §103 over the hypothetical combination of Baumgartner with Jahng. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying the combination against those claims. The Applicants nonetheless respectfully submit that the combination fails to result in the Applicants' claimed connecting element as recited in Claims 20-27, 29 and 31. Reasons are set forth below.

The Applicants note the Examiner's frank acknowledgement that Jahng fails to disclose that the claimed envelope is a polymeric envelope. The Applicants agree. In fact, the Applicants respectfully submit that the "envelope" of Jahng is rigid and not flexible as in the Applicants' Claim 20. In any event, Jahng turns to Baumgartner to cure that deficiency. However, before referring to the combination with Baumgartner, the Applicants respectfully

submit that Jahng fails to disclose additional portions of Claim 20. In that regard, the rejection states that Jahng discloses that the cavity has a zone widened in the direction of an end receiving the cable as shown in Figs. 5 and 7 in conjunction with the discussion of Claim 24. The Applicants disagree that Figs. 5 and 7 (or any other portion of Jahng) disclose a widened zone. To the extent that the rigid caps or rings of Figs. 5 and 7 could be considered envelopes, they do not have a widened zone. Those structures are tubular and the inner diameter of the tube is not stated as being variable. There is no discussion of a portion of the inner portion of those caps or rings as having widened or narrowed zones at all. One skilled in the art would readily glean from Figs. 5 and 7 of Jahng that the diameter is essentially constant since rings and tubes typically have constant inner diameters in the axial direction unless there is a specific disclosure or reference stating to the contrary.

In any event, the Applicants have as noted above, amended Claim 20 to clarify that there is a widened zone and a narrowed zone, the widened zone being proximal to the end receiving the cable and the narrowed zone being distal to the end receiving the cable. Those skilled in the art can readily see by reference to Jahng generally and Figs. 5 and 7 in particular that there is no indication of a widened zone and a narrowed zone as recited in Claim 20. Thus, the Applicants respectfully submit that this is another feature of Claim 20 that is not disclosed by Jahng.

It would accordingly be necessary for Baumgartner to disclose that feature as well. Reference to the Baumgartner disclosure, however, shows that there is no disclosure of a cavity having a widened zone proximal to the end receiving the cable and a narrow zone distal to the end receiving the cable as recited in Claim 20. Thus, the combination of Baumgarter with Jahng must fail.

Referring back to the earlier-mentioned need in the rejection to look to Baumgartner to provide a polymer envelope for the so-called "envelope" of Jahng, the Applicants respectfully submit that one skilled in the art would not do this. In that regard, the polymer envelope of Baumgartner is disclosed as being an elastic or flexible material such as polyurethane. The Applicants respectfully submit that one skilled in the art would not import those teachings into Jahng inasmuch as the Jahng envelope (i.e., the caps or rings) is intended to be rigid, not elastic or flexible. Thus, importing the elastic polymeric material from Baumgartner into Jahng would destroy the object of having rigidity imparted to the otherwise flexible cable (6). The Applicants respectfully submit that those skilled in the art do not tend to utilize teachings from one publication in another publication when utilizing those teachings would destroy an important aspect of the objective of the primary reference.

The Applicants also respectfully submit that one skilled in the art would have a reasonable expectation that such an importation of the elastic material of Baumgarten into the rigid caps or rings of Jahng utilized as the envelope would fail. This is contrary to the requirement under §103 that mandates not only motivation to make modifications to the primary reference, but also that there would be a reasonable expectation of success in so doing. The Applicants respectfully submit that one skilled in the art would have a reasonable expectation that importing the elastic/flexible material of Baumgarten into the envelope of Jahng would cause those envelopes to change from being rigid to flexible, which is essentially the opposite of what Jahng tries to achieve by applying the envelopes to the otherwise flexible cable in the first place. The Applicants respectfully submit that the rejection cannot be sustained on this basis. Withdrawal of the rejection is accordingly respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,

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